



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE 05-003

BILL 30 (2004)

## A BILL FOR AN ORDINANCE

ENABLING REAL PROPERTY TAXPAYERS TO VOLUNTARILY CONTRIBUTE MONEYS FOR LAND CONSERVATION PURPOSES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The council finds that implementation of the city's policy of preserving and protecting the natural resources of Oahu would be enhanced by the establishment of a fund to purchase or otherwise acquire lands or property entitlements for natural resource land conservation purposes in the city. Such a fund would assist the city in its preservation efforts by: (1) enabling the city to act quickly when purchasing private lands or interests therein; and (2) allowing the city to leverage any private and governmental funding sources for such land acquisitions by having matching funds available.

The purpose of this ordinance is to provide a revenue source for such a fund through the solicitation and receipt of voluntary contributions from real property taxpayers.

SECTION 2. Section 8-2.1, Revised Ordinances of Honolulu 1990, as amended, is further amended to read as follows:

**"Sec. 8-2.1 Notice of assessments—Addresses of persons entitled to notice.**

- (a) On or before December 15th preceding the tax year, the director shall give notice of the assessment for the tax year against each known owner, by personal delivery to the owner or by mailing to the owner on or before such date postage prepaid and addressed to the owner at the owner's last known place of residence or address a written notice identifying the property involved by the tax key and the general class established in accordance with Section 8-7.1(c) and setting forth the valuation placed upon the real property, determined pursuant to Section 8-7.1(a), the exemption, if any, allowed or denied, as the case may be, and the net taxable value of the real property. The general class of the property shall be set forth in clear and descriptive language as used in Section 8-7.1(c)(1) without abbreviation and without reference to a code of any kind on the notice of assessment.
- (b) In addition to the foregoing, the director shall, in each year, give notice of the assessments for the upcoming tax year by public notice (by publication thereof at least three times on different days prior to December 31st of each year in a newspaper of general circulation, published in the English language) of a time



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when (which shall be not less than a period of 10 days prior to December 31st preceding the tax year) and of a place where the records of taxable properties maintained for the district may be inspected by any person for the purpose of enabling such person to ascertain what assessments have been made against such person or such person's property and to confer with the director so that any errors may be corrected before the filing of the assessment list.

(c) On or before December 15th preceding the tax year, the director of finance shall notify by mail each known owner whose property has been assigned a different general class from the general class assigned the previous tax year, that the property has been reclassified for property tax assessment purposes for the ensuing tax year. Such notification shall state the property's general class immediately prior to the change, the new general class, and the effective date of the new general class.

(d) The notice of assessment required in subsection (a) shall include a return-by-mail portion for a taxpayer to voluntarily indicate that the taxpayer wishes to pay an additional amount for natural resource land conservation purposes. The taxpayer shall be allowed to enter any amount exceeding \$1.00. The taxpayer shall remit the amount entered, together with the return-by-mail portion, to the city. The amount shall not be deemed to be an accrued tax liability of the taxpayer. Failure of the taxpayer to remit the amount entered shall not be deemed to be a real property tax delinquency. The director shall deposit the proceeds of payments made pursuant to this subsection into an appropriate fund, which shall be used exclusively for the purpose of purchasing or otherwise acquiring fee titles, easements, or other property entitlements of natural resource lands in the city.

SECTION 3. Chapter 6, Revised Ordinances of Honolulu 1990 ("Revolving Special Funds, Housing Mortgage Loans and Fees"), is amended by adding a new article to be appropriately designated and to read as follows.

**"Article \_\_. Land Conservation Fund**

**Sec. 6-\_\_1 Establishment—purpose—administration.**

There is hereby established a special fund to be known as the "land conservation fund." The purpose of the fund is to facilitate the purchase or otherwise acquire lands or property entitlements for natural resource land conservation purposes in the city. Such a fund would assist the city in its preservation efforts by: (1) enabling the city to act quickly when purchasing private lands or interests therein; and (2) allowing the city to



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leverage any private and governmental funding sources for such land acquisitions by having matching funds available. The director of budget and fiscal services shall administer the fund.

**Sec. 6-\_\_2 Deposits.**

There shall be deposited into the land conservation fund all gifts and voluntary contributions to the city for the purposes of the fund, all appropriations made to the fund, and all revenues designated by ordinance or resolution for deposit into the fund.

**Sec. 6-\_\_3 Expenditures.**

Moneys on credit to the fund shall be expended solely for the purposes of the fund."

SECTION 4. In Section 2 of this ordinance, new ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



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SECTION 5. This ordinance shall take effect upon approval and apply to tax years beginning July 1, 2005 and thereafter.

INTRODUCED BY:

*[Handwritten signature]*

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DATE OF INTRODUCTION:

**APR 14 2004**

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Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*[Handwritten signature: Susan A. Bender]*  
\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this 9<sup>th</sup> day of March, ~~2004~~ <sup>2005</sup>.

*[Handwritten signature: Mufti Hannemann]*  
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~~JEFFREY HARRIS, Mayor~~ MUFTI HANNEMANN, Mayor  
City and County of Honolulu

(OCS/040804/mg)

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE **05 - 003**

BILL **30 (2004)**

Introduced: 4/14/04 By: DONOVAN DELA CRUZ (BY REQUEST)

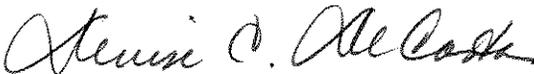
Committee: Budget

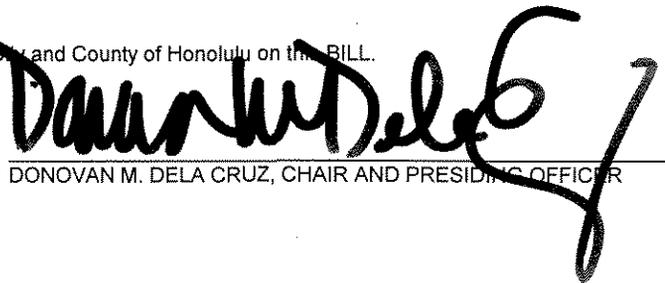
Title: A BILL FOR AN ORDINANCE ENABLING REAL PROPERTY TAXPAYERS TO VOLUNTARILY CONTRIBUTE MONEYS FOR LAND CONSERVATION PURPOSES.

Links: [Bill 30 \(2004\)](#)  
[CR-270](#)  
[Related Communications](#)

Council	5/12/04	Passed first reading and referred to Committee on Budget.										
			Cachola	Y	Dela Cruz	Y	Djou .....	Y	Gabbard	Y	Garcia	Y
			Kobayashi	Y	Marshall	Y	Okino .....	Y	Tam			
Budget	6/23/04	CR-270 – Reported out of committee for second reading and scheduling of a public hearing.										
Publish	7/3/04	Public hearing notice published in the Honolulu Star-Bulletin										
Council/ Public Hearing	7/14/04	Bill passed second reading, CR-270 adopted, public hearing closed and referred to Budget Committee.										
			Cachola	Y	Dela Cruz	Y	Djou .....	Y	Gabbard	Y	Garcia	Y
			Kobayashi	Y	Marshall	Y	Okino .....	N	Tam			
Publish	7/22/04	Second reading notice published in the Honolulu Star-Bulletin										
Budget	7/28/04	Bill deferred in Committee.										
Budget	2/9/05	CR-44 (2005) – Bill reported out of committee for passage on third reading.										
Council	2/23/05	Bill passed third reading and CR-44 (2005) adopted.										
			Apo	Y	Cachola	Y	Dela Cruz	Y	Djou	Y	Garcia	Y
			Kobayashi	Y	Marshall	Y	Okino	Y	Tam			

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on the BILL.

  
DENISE C. DE COSTA, CITY CLERK

  
DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER